



UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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GARY PIETROPAULO, Administrator of the :
Estate of Gary J. Pietropaulo, :
Plaintiff, :
v. :
United States of America, :
Defendant. :
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ORDER

20 CV 4249 (VB)

On June 3, 2020, plaintiff Gary Pietropaulo, as Administrator of the Estate of Gary J. Pietropaulo, commenced the instant action against the United States of America. (Doc. #1). On June 4, 2020, the Clerk of Court issued a summons as to the government. (Doc. #4).

On September 2, 2020, the Court issued an Order warning plaintiff that this action will be dismissed without prejudice, pursuant to Fed. R. Civ. P. 4(m), unless, on or before September 9, 2020, plaintiff either: (i) files to the ECF docket proof of service, indicating the government was served on or before September 1, 2020, in accordance with Rule 4(m); or (ii) shows good cause in writing for his failure to comply with Rule 4(m). (Doc. #5).

By letter today, plaintiff informed the Court "that the absence of service was not made due to a basis that would support an application for an extension pursuant to [Rule] 4(m)," but requests an extension of time to serve the government. (Doc. #6).

Plaintiff's instant submission does not provide meaningful information demonstrating good cause for plaintiff's failure to serve the government in this action in accordance with Rule 4(m).

Accordingly, this case is dismissed without prejudice pursuant to Fed. R. Civ. P. 4(m) and 41(b).

The Clerk is instructed to close this case.

Dated: September 9, 2020
White Plains, NY

SO ORDERED:

A handwritten signature in black ink, appearing to read "Vincent L. Briccetti".

Vincent L. Briccetti
United States District Judge